

TRAITE DE COOPERATION EN MATIERE BREVETS

PCT

RAPPORT D'EXAMEN PRELIMINAIRE INTERNATIONAL

(article 36 et règle 70 du PCT)

Rec'd PCT/PTO 19 OCT 2004

REC'D 27 FEB 2004

WIPO PCT

Référence du dossier du déposant ou du mandataire	POUR SUITE A DONNER voir la notification de transmission du rapport d'examen préliminaire international (formulaire PCT/PEA416)	
Demande internationale No. PCT/FR 03/01232	Date du dépôt international (jour/mois/année) 17.04.2003	Date de priorité (jour/mois/année) 19.04.2002
Classification internationale des brevets (CIB) ou à la fois classification nationale et CIB C07D211/26		
Déposant SANOFI-SYNTHELABO et al.		

1. Le présent rapport d'examen préliminaire international, établi par l'administration chargée de l'examen préliminaire international, est transmis au déposant conformément à l'article 36.



2. Ce RAPPORT comprend 4 feuilles, y compris la présente feuille de couverture.

☐ Il est accompagné d'ANNEXES, c'est-à-dire de feuilles de la description, des revendications ou des dessins qui ont été modifiées et qui servent de base au présent rapport ou de feuilles contenant des rectifications faites auprès de l'administration chargée de l'examen préliminaire international (voir la règle 70.16 et l'instruction 607 des Instructions administratives du PCT).

Ces annexes comprennent feuilles.

3. Le présent rapport contient des indications et les pages correspondantes relatives aux points suivants :

- I ☒ Base de l'opinion
- II ☐ Priorité
- III ☐ Absence de formulation d'opinion quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle
- IV ☐ Absence d'unité de l'invention
- V ☒ Déclaration motivée selon la règle 66.2(a)(ii) quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle; citations et explications à l'appui de cette déclaration
- VI ☐ Certains documents cités
- VII ☐ Irrégularités dans la demande internationale
- VIII ☐ Observations relatives à la demande internationale

Date de présentation de la demande d'examen préliminaire internationale 28.10.2003	Date d'achèvement du présent rapport 27.02.2004
Nom et adresse postale de l'administration chargée de l'examen préliminaire international  Office européen des brevets - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tél. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Fonctionnaire autorisé Diederer, J N° de téléphone +31 70 340-1097 

PCT/FR 03/01232

(Toute feuille de remplacement comportant des modifications de cette nature doit être indiquée au point 1 et annexée au présent rapport.)

**RAPPORT D'EXAMEN
PRÉLIMINAIRE INTERNATIONAL**

Demande internationale n°

PCT/FR 03/01232

6. Observations complémentaires, le cas échéant :

V. Déclaration motivée selon l'article 35(2) quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle; citations et explications à l'appui de cette déclaration

1. Déclaration			
Nouveauté	Oui:	Revendications	1-5
	Non:	Revendications	
Activité inventive	Oui:	Revendications	1-5
	Non:	Revendications	
Possibilité d'application industrielle	Oui:	Revendications	1-5
	Non:	Revendications	

2. Citations et explications

voir feuille séparée

Concernant le point V

Déclaration motivée selon la règle 66.2(a)(ii) quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle; citations et explications à l'appui de cette déclaration

Il est fait référence au document suivant:

D1: WO 99 45011 A (JANSSENS FRANS EDUARD ;JANSSEN
PHARMACEUTICA NV (BE); KENNIS LUDO) 10 septembre 1999
(1999-09-10)

1. Nouveauté

Les revendications 1-5 sont nouvelles.

2. Activité inventive

Les revendications 1-5 concernent des composés de Formule (I) et leurs application comme inhibiteur spécifique des transporteurs de la glycine glyt1 et/ou glyt2.

L'art antérieur le plus proche est le document D1. Document D1 dévoile les composés de Formule (I) avec la même utilisation qui sont complètement différent que les composés de la présente demande. L'objet de la demande est donc considéré comme impliquant une activité inventive.



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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

Translation

Rec'd PCT/PTO 19 OCT 2004 (PCT Article 36 and Rule 70)

Applicant's or agent's file reference JL	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FR2003/001232	International filing date (day/month/year) 17 avril 2003 (17.04.2003)	Priority date (day/month/year) 19 avril 2002 (19.04.2002)
International Patent Classification (IPC) or national classification and IPC C07D 211/26		
Applicant SANOFI-AVENTIS		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 28 octobre 2003 (28.10.2003)	Date of completion of this report 27 February 2004 (27.02.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FR2003/001232

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
pages _____ 1-37 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☒ the claims:
pages _____ 1-5 _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the drawings:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FR 03/01232

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	1-5	YES
	Claims		NO
Inventive step (IS)	Claims	1-5	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-5	YES
	Claims		NO

2. Citations and explanations

Reference is made to the following document:

D1: WO 99 45011 A (JANSSENS FRANS EDUARD; JANSSEN PHARMACEUTICA NV (BE); KENNIS LUDO) 10 September 1999 (1999-09-10)

1. Novelty

Claims 1 to 5 are novel.

2. Inventive step

Claims 1 to 5 concern compounds of formula (I) and the use thereof as specific inhibitors of glycine transporters glyt1 and/or glyt2.

Document D1 is the closest prior art. Document D1 discloses compounds of formula (I) for the same purpose. The compounds, however, are completely different from those of the present application. The subject matter of the application is therefore considered to involve an inventive step.